IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

SECOND APPEAL NO.285 OF 2006.

Baburao Maruti Mohite
since deceased through heirs
Mahadev Baburao Mohite & ors. : Appellants.

versus

Atmaram Shripati Rayate
since deceased thorugh heirs
Pravin Atmaram Rayate & ors. : Respondents.

Mr.Pratap Patil for the appellants.

CORAM : D.B.BHOSALE, J.
DATED : JULY 16, 2007.

P.C.

1. Heard Mr.Patil, learned counsel for the appellants.

2. This Second Appeal is directed against concurrent findings of facts recorded by the Courts below in a suit filed by the respondents/plaintiffs for perpetual injunction restraining the appellants from obstructing the plaintiffs from enjoyment of the property and for possession of 7 ares of land which the appellants allegedly encroached upon during pendency of the suit.

3. After having considered the entire materials on record, the Courts below have held that the respondents/plaintiffs are the owners and users of the Bandh in dispute and they have also established the encroachment to the extent of 7 Ares over Plot No.1745 belonging to the respondents/plaintiffs.

4. Considering the findings on facts recorded by the Courts below and as I find sufficient material on record to sustain those findings and considering that no substantial question of law is either raised or involved in the present appeal, it deserves to be dismissed and is dismissed as such.

[D.B.BHOSALE, J]